

9-5-07

Addendum No 2:

**Design Build No 7 2007-2008
Wolfe County, Design Item 10-139
KY 9000\KY9009 and KY 15 S
Mt Parkway Extension and Interchange with KY 15 Spur**

Please replace Section 11 of the Scope of Services, Right of Way (ROW) with the following:

It is the intent of this project to perform as much construction work as possible within the limits of the right of way as shown on the plans that have been provided to the DBT. All right of way acquisitions shall be in compliance with current Right of Way Acquisition Policies and Procedures. Any additional right of way needs (including easements for drainage, erosion control, utility relocations, and maintenance and control of traffic) that the DBT's final design may require must be clearly identified by the DBT as a part of the submittal. As detailed in this section, it shall be the responsibility of the DBT to provide all "Right of Way Acquisition Services" for the project. The DBT shall have a pre-qualified consultant for all phases of right of way acquisition. KYTC shall provide a pre-qualified attorney for any right of way suits that must be filed. The DBT shall be responsible for title reports, appraisals, first stage reviews, negotiations, relocation assistance, closings, preparation and submission of all documents required for condemnation action, and the payment of all fees for the filing of suits. KYTC shall post the Commissioner's Awards when required. When it becomes necessary to file suit, it is the intent of this process for the DBT to provide all items and services required for KYTC's pre-qualified attorney to obtain an "interlocutory order and judgment" or "IOJ" and the subsequent "right of entry" for the parcel in question. For scheduling purposes, please allow 120 calendar days for KYTC to obtain an "IOJ". The DBT is responsible for gathering all information required by KYTC to file suit. The 120 calendar days shall begin after KYTC has verified that the information supplied by the DBT is sufficient in order to properly file the condemnation suit. When a "relocation" of a property owner is required, all services necessary to complete the relocation of the property owner shall be included in this contract. Any relocation assistance payments necessary shall be paid by KYTC. All acquisition activities shall be coordinated with the District Right of Way Supervisor with approvals through the Division of Right of Way and Utilities. Right of Way costs will not be included in the bid. However, the Team shall provide a Right of Way estimate for the design proposed. Existing right of way lines will be located by the DBT based on requirements specified in Chapter 1300 of the KYTC Design Manual. It is the responsibility of the DBT to research existing right of way information from all available sources to the extent necessary to provide an accurate basis for the establishment of the existing right of way. No construction work shall be allowed within the limits of a "buildable unit" (see section 19) unless right of way has been cleared for that unit. In some cases, this may constitute the entire project. The DBT will stake and flag the existing and proposed right of way and all easements needed in the field prior to the start of construction. The DBT will maintain all proposed right of way and easement stakes and flags throughout the duration of the project.